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Ex Parte

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: **CC Docket No. 95-116, Local Telephone Number Portability**

Dear Mr. Caton:

On February 19, 1997, Southwestern Bell Telephone Company (SWBT) submitted in this docket a copy of a network reliability study conducted by Bellcore. That study purported to quantify the probability of a catastrophic network failure in the Houston Metropolitan Statistical Area (MSA) (and other MSAs) utilizing the FCC's proposed technology and schedule versus Query on Release (QoR) and alternative schedules. The study and its conclusions should be discounted for several reasons. First, the principle conclusions of the study are based on faulty assumptions and statistical analysis, leading to unsupported conclusions regarding the potential for "catastrophic" network outages. Further, contrary to the stated conclusions, the study demonstrates that there is *no* meaningful difference in reliability between Location Routing Number (LRN) and QoR, and in fact, it proves that the argument by QoR proponents is incorrect that QoR is more reliable than LRN alone. The Bellcore study and SWBT's submission also argue against the implementation of number portability as prescribed in the FCC's implementation schedule in this docket. That argument is inappropriate at this stage of the proceedings.

While Bellcore would characterize its study as an unbiased and objective projection of potential failures in a Local Number Portability (LNP) environment, it is clearly an advocacy piece intended to advance SWBT's anti-competitive desires. From a statistical standpoint, Bellcore has made numerous errors in its calculations and assumptions which lead to its dire prognostications. As a result of those errors, Bellcore vastly exaggerates the "potential" for a catastrophic failure. Even as Bellcore makes those predictions, it tempers its assertions with repeated satatements that its ISCP products have never sustained a dual failure. Bellcore admits in Section 8.2 that previous claims by the RBOCs are not substantiated with regard to the potential impact of traffic fluctuations on the databases. Bellcore states that they "...do not believe that normal traffic fluctuations will result in the ISCPs being overloaded."

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Bellcore's entire argument is based on assumptions of failure for which there is no history. For instance, Bellcore uses "software faults," "partial outages," and "problem reports" which did not lead to catastrophic outages, as predictors of such outages (see Section 3.2). Bellcore also uses assumptions which are flawed at their very foundation. It asserts that the implementation of LNP will not follow the "traditional" or "normal" approach to service implementation. Indeed, every item listed by Bellcore as part of a normal introduction process will be performed in the Illinois field test ordered by the FCC, as well as by regulatory bodies in the regions serviced by the RBOCs. Indeed, the industry has already devoted significant time and resources to the development and deployment of LRN, beginning as long ago as late Spring 1995. Claims that the industry's work, previous and planned, has been abbreviated or minimized are not supported by the facts.

Even given the inaccuracies of the Bellcore study's assumptions and calculations, it is obvious from a review of Table 1: Summary of Principle Results, that probabilities for FCC reportable outages with LRN and with QoR are virtually identical under the same scheduling scenarios (i.e., approximately 15% without LRN, with LRN, and with QoR under SWBT's "normal" scenario; and approximately 66% with LRN and with QoR under the FCC's schedule. The only notable difference shown between LRN and QoR is the probability of a "catastrophic" outage under each. This distinction is meaningless, however, given that the catastrophic outage is defined as being caused by a failure of ALL LNP databases -- an event of such unlikely possibility as to not warrant consideration. At the same time, MCI notes that it appears the study did not take into account the impact of QoR on both originating and terminating switch processor time, and on signaling engineering in the unpredictable QoR environment, both of which could result in exactly the sort of network congestion situations Bellcore asserts would occur in an LRN environment, meaning that QOR impacts are apparently under-reported.

The FCC should take particular note of the implications of Table 2: Effects of Failure Scenarios for LNP. Those findings highlight the concerns expressed by competitive local exchange companies (CLECs) that QoR treats ported calls to discriminatory routing. Table 2 characterizes the effects of a hypothetical failure of ALL LNP databases with QoR as "minor" at low levels of porting, and as "FCC Reportable" at higher levels of porting, while the effects with LRN are characterized as "Catastrophic." The difference, of course, is that under QoR, where SWBT's traffic is relatively unaffected by the failure of LNP databases, SWBT can safely consider the impact as "minor," or merely "FCC Reportable". In contrast, under those scenarios, virtually 100% of CLEC traffic is affected -- certainly not "minor" in their eyes. It is this very type of "study" which SWBT and other incumbent local exchange companies will surely use in sales and marketing efforts to show that calls to their customers will be relatively isolated from a failure of LNP databases, compared to their competitors' calls.

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Finally, the primary recommendation of the Bellcore study -- to alter the FCC's schedule in order to avoid the potential for a "catastrophic" outage -- is predicated on a simultaneous failure to ALL LNP databases. As the study itself points out, SWBT has never experienced even a single dual SCP failure, much less the dual failure of all SCPs. Thus, the possibility, while hypothetically possible, is too remote to sustain any valid conclusions. However, if SWBT needs an additional three months to implement LNP in its three largest MSAs, it can take advantage of the FCC's waiver process. At this point in time, however, use of the ex parte process to request reconsideration of the FCC's implementation schedule is inappropriate.

Please do not hesitate to call me if you have any questions. Thank you for your attention to this matter.

Sincerely,

Donna M. Roberts

cc: Richard Metzger
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